IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5169 OF 2005

Dhulgonda Khangonda Patil ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

....

Mr.Amit Borkar for the Petitioner.

Mr.Y.D.Mulani, AGP for the Respondents.

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CORAM : F.I.REBELLO &

DR.D.Y.CHANDRACHUD, JJ.

8th September, 2005.

P.C. :

By order dated 3rd August, 2004 on the recommendations of the District Deputy Registrar for continuation of the Liquidator to the society, the period is extended upto 24th February, 2006. The order itself discloses that has been done, as there are large defaulters and recovery is still due from them, and that the process is not likely

to be completed in near future. The Petitioner is a member who seeks to challenge the said order. Learned counsel has drawn our attention to Section 109 of the Maharashtra Co-operative Societies Act 1960. A perusal of the said Section would indicate that the Liquidator would have to submit his final report and consequently the proceedings against the defaulters cannot be pursued. Considering that, this would not be a fit case for this Court, at the instance of a member of a society for which a Liquidator is appointed, to interfere with the impugned order dated 3rd August, 2004 in the exercise of the extra-ordinary jurisdiction. Hence, the Petition is rejected.